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Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Report of the Second Committee

Rapporteur: Mr. Hussam Edin **A'Ala** (Syrian Arab Republic)

I. Introduction

1. At its 3rd plenary meeting, on 17 September 1999, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fourth session the item entitled "Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 35th, 36th, 39th and 43rd meetings, on 9, 12 and 24 November 1999. An account of the Committee's consideration of the item is contained in the relevant summary records (A/C.2/54/SR.35, 36, 39 and 43). Attention is also drawn to the general debate held by the Committee at its 3rd to 8th meetings from 6 to 8 October (see A/C.2/54/SR.3-8).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Note by the Secretary-General transmitting a report prepared by the Economic and Social Commission for Western Asia on the implementation of Economic and Social Council resolution 1998/32 and General Assembly resolution 53/196 (A/54/152-E/1999/92);

(b) Letter dated 15 October 1999 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General, transmitting the communiqué of the meeting of Ministers for Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries, held in New York on 23 September 1999 (A/54/469-S/1999/1063).

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4. At the 35th meeting, on 9 November, the representative of the Regional Commissions New York Office made an introductory statement (see A/C.2/54/SR.35).

II. Consideration of draft resolution A/C.2/54/L.32

5. At the 39th meeting, on 12 November, the representative of Egypt, on behalf of Afghanistan, Algeria, Bahrain, Bangladesh, Brunei Darussalam, the Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Malta, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates, Yemen and Palestine, introduced a draft resolution entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" (A/C.2/54/L.32).

6. At the 43rd meeting, on 24 November, the Vice-President of the Committee, Alexandru Niculescu (Romania), informed the Committee of the outcome of the informal consultations held on the draft resolution.

7. At the same meeting, the representative of the United States of America requested a recorded vote on the draft resolution.

8. Also at the same meeting, the Committee adopted draft resolution A/C.2/54/L.32 by a recorded vote of 132 to 3, with 5 abstentions (see para. 11). The voting was as follows:[1]

In favour:

Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guyana, Haiti, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the Former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against:

Israel, Marshall Islands, United States of America.

Abstaining:

Cameroon, Georgia, Kazakhstan, Uzbekistan, Zambia.

[1] The delegation of Panama subsequently indicated that, had it been present, it would have voted in favour.

9. Before the adoption of the draft resolution, statements in explanation of vote were made by the representatives of Israel and the United States of America; after the adoption of the draft resolution, statements in explanation of vote were made by the representatives of Finland (on behalf of the States Members of the United Nations that are members of the European Union), Bulgaria, Japan and the Syrian Arab Republic (see A/C.2/54/SR.43).

10. The observer for Palestine also made a statement (see A/C.2/54/SR.43).

III. Recommendation of the Second Committee

11. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 53/196 of 15 December 1998 and Economic and Social Council resolution 1999/53 of 29 July 1999,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] to the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Aware of the additional, detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Expressing the hope that the Middle East peace process, which started at Madrid on 30 October 1991, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, will reach a final settlement within the agreed time-frame, and that final settlement will be reached on all tracks,

1. *Takes note* of the report of the Secretary-General;[3]

[2] United Nations, *Treaty Series*, vol. 75, No. 973.

[3] A/54/152-E/1999/92, annex.

2. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

3. *Calls upon* Israel, the occupying Power, not to exploit, to cause loss or depletion of or to endanger the natural resources in the Occupied Palestinian Territory, including Jerusalem, and in the occupied Syrian Golan;

4. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

5. *Requests* the Secretary-General to report to it at its fifty-fifth session on the implementation of the present resolution, and decides to include in the agenda of its fifty-fifth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".